

- B2
cont
- 5 c. distributing at least a portion of prioritized economic incentive data to at least a
6 portion of the plurality of energy Providers;
7 d. designating at least two Providers of the plurality of energy Providers to be the
8 designated Providers of energy to the at least one end user on the basis of the
9 prioritized economic incentive data; and
10 e. informing each of the at least two designated Providers of its designation, one or
11 more specifications of estimated energy requirements and periodic usage reports
12 associated with the at least one end user, thereby enabling each of the at least two
13 Providers to adjust its energy supply during the time interval in which each
14 designated Provider supplies energy to the at least one end user.
-

REMARKS

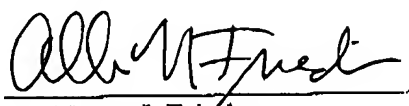
15
The above new priority claim is a correction of the priority claim submitted in the
September 18, 2002 Preliminary Amendment in deletion of the word "co-pending" from the end
20 of the second line.

The above new claims are modifications of originally filed Claims 1, 21, 31, and 36,
respectively part of the originally filed January 31, 2002 application. The original Claims 1, 21,
31, and 36 are being resubmitted, in somewhat modified form, as Claims 155, 156, 157, and 158,
respectively, in order: (i) to reassert more broadly in the claim set the full breadth of the
25 inventions disclosed in the originally filed application, and (ii) to insure that the amendment of
Claim 1 and the cancellations of Claims 21, 31, and 36, contained in the September 18, 2002
Preliminary Amendment, are not interpreted as an intent to narrow the scope of any claims.

Neither the September 18, 2002, Preliminary Amendment nor this Second Preliminary Amendment were prepared or filed for reasons related to patentability, but rather for reasons related to current activity of third parties utilizing the disclosed invention.

5 If the Examiner considers that the prosecution of this Application can in any way be advanced by a telephone interview, he is urged to contact the undersigned at (973) 639-6946.

10 Respectfully,
Jack J. Johnson
William F. Coyle

by: 
Allen N. Friedman
Reg. #25,973

15 Responses To:
Allen N. Friedman, Esq.
McCarter & English, LLP
Four Gateway Center
20 100 Mulberry Street
Newark, New Jersey 07102

NWK2: 978373.01